

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS AND LABOR**

**Call to Order:** Chair Mark Noland, on February 23, 2017 at 8:00 AM, in Room 172  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Mark Noland, Chair (R)  
Rep. Amanda Curtis, Vice Chair (D)  
Rep. Vince Ricci, Vice Chair (R)  
Rep. Fred Anderson (R)  
Rep. Willis Curdy (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Bruce Grubbs (R)  
Rep. Steve Gunderson (R)  
Rep. Denley M. Loge (R)  
Rep. Andrea Olsen (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Adam Rosendale (R)  
Rep. Casey Schreiner (D)  
Rep. Jeremy Trebas (R)  
Rep. Sue Vinton (R)

**Members Excused:** Rep. Moffie Funk (D)  
Rep. Sharon Stewart-Peregoy (D)  
Rep. Jonathan Windy Boy (D)  
Rep. Daniel Zolnikov (R)

**Members Absent:** None

**Staff Present:** Karen Armstrong, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 515, 2/20/2017; HB 519, 2/20/2017; HB 541, 2/20/2017;  
HB 544, 2/20/2017; HB 549, 2/20/2017

Executive Action: HB 402; HB 496

**HEARING ON HB 519**

**Opening Statement by Sponsor:**

00:02:10 Rep. Nate McConnell (D), HD 89, opened the hearing on HB 519, Provide for fragrance ingredient disclosure for cosmetics.

**Proponents' Testimony:**

00:04:14 Alexandra Scranton, Women's Voices for the Earth

[EXHIBIT\(buh40a01\)](#)

00:08:12 Regan Lozar, Self

**Opponents' Testimony:**

00:11:33 Bridger Mahlum, Montana Chamber of Commerce (MCC)

00:26:09 Rep. Funk joined the meeting.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:14:04 Rep. Vinton  
00:16:11 Rep. McConnell  
00:16:48 Alexandra Scranton, Women's Voices for the Earth  
00:17:12 Rep. Vinton  
00:17:30 Rep. McConnell  
00:18:30 Rep. Gunderson  
00:20:02 Rep. McConnell  
00:20:19 Chair Noland  
00:20:59 Rep. McConnell  
00:21:30 Rep. Rosendale  
00:21:47 Rep. Zolnikov joined the meeting.  
00:23:30 Rep. McConnell  
00:24:10 Rep. Trebas  
00:24:31 Rep. McConnell  
00:24:41 Alexandra Scranton, Women's Voices for the Earth  
00:25:05 Rep. Curtis  
00:25:22 Alexandra Scranton, Women's Voices for the Earth  
00:27:20 Rep. Rosendale  
00:27:46 Alexandra Scranton, Women's Voices for the Earth

**Closing by Sponsor:**

00:28:33 Rep. McConnell

**HEARING ON HB 515**

**Opening Statement by Sponsor:**

00:29:19 Rep. Jeremy Trebas (R), HD 25, opened the hearing on HB 515, Revise insurance laws pertaining to water damage.

[EXHIBIT\(buh40a02\)](#)

[EXHIBIT\(buh40a03\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:38:05 Bruce Spencer, All State Insurance  
00:45:18 Aimee Grmoljez, Property Casualty Insurers Association of America (PCIAA)  
00:48:26 Bob Biskupiak, Office of the State Auditor (OSA)  
00:49:51 Jon Metropoulos, Farmers Insurance Group, American Insurance Association  
00:52:01 Greg Van Horssen, State Farm Insurance Company

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:12 Rep. Schreiner  
00:57:53 Greg Van Horssen, State Farm Insurance Company  
00:59:03 Rep. Ricci  
00:59:38 Bruce Spencer, All State Insurance  
01:01:44 Rep. Olsen  
01:05:57 Bob Biskupiak, OSA  
01:06:26 Chair Noland  
01:08:07 Greg Van Horssen, State Farm Insurance Company  
01:09:10 Chair Noland  
01:10:09 Rep. Trebas  
01:10:48 Chair Noland  
01:11:39 Greg Van Horssen, State Farm Insurance Company  
01:12:29 Chair Noland  
01:14:50 Greg Van Horssen, State Farm Insurance Company

**Closing by Sponsor:**

01:16:32 Rep. Trebas

**HEARING ON HB 544**

**Opening Statement by Sponsor:**

01:18:29 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 544, Revise laws pertaining to uninsured and underinsured motorist vehicle insurance.

**[EXHIBIT\(buh40a04\)](#)**

01:21:58 Chair Noland left the meeting. Vice Chair Ricci assumed the chair.

**Proponents' Testimony:** None

**Opponents' Testimony:**

01:22:54 Greg Van Horssen, State Farm Insurance Company  
01:26:53 Bruce Spencer, All State Insurance  
01:27:58 Rep. Noland rejoined the meeting.  
01:32:07 Jon Metropoulos, Farmers Insurance Group, American Insurance Association, Property Casualty Insurers Association of America  
01:33:30 Bob Biskupiak, Office of the State Auditor (OSA)

**Informational Testimony:**

01:34:52 Al Smith, Montana Trial Lawyers Association (MTLA)

**Questions from Committee Members and Responses:**

01:35:32 Rep. Vinton  
01:36:19 Rep. Olsen  
01:36:57 Chair Ricci  
01:38:21 Rep. Vinton  
01:38:43 Rep. Olsen  
01:39:26 Rep. Rosendale  
01:40:05 Rep. Curtis  
01:40:27 Rep. Olsen  
01:40:56 Rep. Curtis  
01:41:40 Al Smith, MTLA  
01:43:14 Chair Ricci  
01:43:39 Greg Van Horssen, State Farm Insurance Company

**Closing by Sponsor:**

01:45:38 Rep. Olsen

01:46:59 Rep. Noland resumed the chair.

**HEARING ON HB 549**

**Opening Statement by Sponsor:**

01:47:17 Rep. Derek Skees (R), HD 11, opened the hearing on HB 549, Create BID/TIF districts beer and wine alcohol license.

**Proponents' Testimony:**

01:48:50 Pam Carbonari, Kalispell Business Improvement District  
01:55:19 Joe Carbonari, Self  
01:56:51 Rep. Windy Boy joined the meeting.

**Opponents' Testimony:**

01:58:59 Kristin Cetraro, Self  
02:00:33 Bruce McCullough, Tri-County Licensed Beverage Association  
02:02:26 Laura Fix, Island Liquor and Wine  
02:04:22 Chad Bachmeier, Red Garter Casino/Bar  
02:06:14 John Iverson, Montana Tavern Association (MTA)

**EXHIBIT(buh40a05)**

02:12:38 Brad Griffin, Montana Restaurant Association (MTRA)  
02:13:08 Neil Peterson Gaming Industry Association (GIA); Montana Coin Machine Operators Association

**Informational Testimony:**

02:13:47 Shauna Helfert, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

02:14:10 Rep. Trebas

02:14:42 Neil Peterson, GIA and Montana Coin Machine Operators Association  
 02:15:02 Rep. Vinton  
 02:15:33 Shauna Helfert, DOR  
 02:16:57 Rep. Ricci  
 02:17:31 Rep. Skees  
 02:17:42 Pam Carbonari, Kalispell Business Improvement District  
 02:19:17 Rep. Ricci  
 02:19:35 John Iverson, MTA  
 02:20:01 Rep. Gunderson  
 02:20:50 Rep. Skees  
 02:22:11 Rep. Windy Boy  
 02:22:45 John Iverson, MTA  
 02:23:17 Rep. Rosendale  
 02:23:59 Rep. Skees  
 02:25:17 Chair Noland  
 02:25:36 Pam Carbonari, Kalispell Business Improvement District

**Closing by Sponsor:**

02:27:06 Rep. Skees

**HEARING ON HB 541**

**Opening Statement by Sponsor:**

02:33:17 Rep. Adam Hertz (R), HD 96, opened the hearing on HB 541, Revise small brewery laws.

**Proponents' Testimony:**

02:35:57 Matt Leow, Montana Brewers Association

[EXHIBIT\(buh40a06\)](#)

[EXHIBIT\(buh40a07\)](#)

[EXHIBIT\(buh40a08\)](#)

[EXHIBIT\(buh40a09\)](#)

02:41:11 Rep. Ellie Hill-Smith  
 02:46:24 Bjorn Nabozney, Big Sky Brewing Company  
 02:48:07 Brian Smith, Blackfoot River Brewing  
 02:49:55 Mark Hastings, Uberbrew  
 02:50:59 Paul Marshall, Draught Works Brewery  
 02:52:46 Levi Ostberg, Montana Farmers Union  
 02:53:58 Ryan Rickert, Pint Pass, Bozeman  
 02:55:53 Bob Lukes, Missoula Brewing Company  
 02:59:44 Nolan Smith, Philipsburg Brewing Company, Montana Brewers Association  
 03:01:25 Brice Jones, Katabatic Brewing Company  
 03:03:13 David Breck, Bridger Brewing, Bozeman  
 03:04:23 Ethan Kohouteck, Ten Mile Creek Brewery  
 03:04:51 Rep. Stewart-Peregoy joined the meeting.  
 03:05:18 Pam Carbonari, Kalispell Business Improvement District.

**Opponents' Testimony:**

03:06:45 John Iverson, Montana Tavern Association (MTA)

[EXHIBIT\(buh40a10\)](#)

03:13:14 Neil Peterson, Gaming Industry Associaton (GIA)

[EXHIBIT\(buh40a11\)](#)

03:21:55 Brad Griffin, Montana Restaurant Association (MTRA)

**Informational Testimony:**

03:23:49 Shauna Helfert, Department of Revenue (DOR)

**Questions from Committee Members and Responses:**

03:24:10 Rep. Rosendale  
 03:25:12 Rep. Hertz  
 03:26:06 Rep. Curtis  
 03:27:53 Nolan Smith, Philipsburg Brewing Company  
 03:28:06 Rep. Curtis  
 03:28:46 Matt Leow, Montana Brewers Association  
 03:29:46 Rep. Ricci  
 03:30:46 Bjorn Nabozney, Big Sky Brewing Company  
 03:31:03 Rep. Loge  
 03:31:42 Matt Leow, Montana Brewers Associait5on  
 03:32:01 Rep. Loge  
 03:32:14 Nolan Smith, Philipsburg Brewing Company  
 03:32:35 Rep. Pierson  
 03:32:45 Matt Leow, Montana Brewers Association  
 03:33:52 Rep. Gunderson  
 03:35:35 Matt Leow, Montana Brewers Association  
 03:36:31 Rep. Fitzgerald  
 03:38:45 Matt Leow, Montana Brewers Associaiton  
 03:40:08 Rep. Trebas  
 03:40:45 Rep. Hertz  
 03:41:00 Rep Trebas  
 03:41:39 Matt Leow, Montana Brewers Association  
 03:42:44 Rep. Curdy  
 03:43:15 Brian Smith, Blackfoot River Brewing  
 03:43:31 Rep. Curdy  
 03:43:47 Brice Jones, Katabatic Brewing  
 03:44:03 Rep. Curdy  
 03:44:30 Mark Hastings, Uberbrew  
 03:44:34 Rep. Pierson  
 03:44:47 Mark Hastings, Uberbrew  
 03:45:26 Rep. Pierson  
 03:45:38 Bjorn Nabozney, Big Sky Brewing Company  
 03:45:49 Rep. Curtis  
 03:46:21 Paul Marshall, Draught Works Brewery  
 03:46:48 Chair Noland  
 03:47:37 Shauna Helfert, DOR  
 03:48:01 Rep. Windy Boy  
 03:48:27 Matt Leow, Montana Brewers Association

**Closing by Sponsor:**

03:48:45 Rep. Hertz

03:50:12 Chair Noland  
 03:51:36 Pat Murdo, Legislative Services Division (LSD)  
 03:52:24 Chair Noland  
 03:52:45 Pat Murdo, LSD  
 03:55:22 Rep. Olsen  
 03:55:41 Pat Murdo, LSD  
 03:57:10 Rep. Curdy  
 03:57:27 Pat Murdo, LSD  
 03:58:07 Rep. Olsen  
 03:58:15 Chair Noland  
 03:58:24 Pat Murdo, LSD  
 03:59:40 Rep. Curtis  
 03:59:53 Pat Murdo, LSD  
 04:01:57 Rep. Curtis  
 04:02:50 Pat Murdo, LSD

04:05:59 Recessed  
 04:30:37 Reconvened with Rep. Zolnikov excused.

#### **EXECUTIVE ACTION ON HB 496**

04:30:48 **Motion:** Rep. Ricci moved that **HB 496 DO PASS.**

#### **Discussion:**

04:31:08 Rep. Curtis

04:32:35 **Vote:** Motion carried 11-8 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Zolnikov voted by proxy.

#### **EXECUTIVE ACTION ON HB 402**

04:34:02 **Motion:** Rep. Ricci moved that **HB 402 DO PASS.**

04:34:26 **Motion:** Rep. Ricci moved that **HB 402 BE AMENDED.**

**EXHIBIT**(buh40a12)

#### **Discussion:**

04:35:03 Pat Murdo, LSD

04:35:38 Rep. Anderson

04:37:51 Rep. Curtis raised an objection.

04:37:59 Chair Noland ruled the objection out of order.

04:38:15 **Vote:** Motion **TO UPHOLD THE RULING OF THE CHAIR** carried 10-8 by voice vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Zolnikov was not present and did not vote.

04:38:49 Rep. Curtis

04:39:36 **Vote:** Motion that **HB 402 BE AMENDED** carried 18-1 by roll call vote with Rep. Anderson voting no. Rep. Zolnikov voted by proxy.

04:41:05 Rep. Olsen

04:41:53 Pat Murdo, LSD

04:42:07 **Motion/Vote:** Rep. Ricci moved that **HB 402 DO PASS AS AMENDED**. Motion carried 11-8 by roll call vote with Rep. Curdy, Rep. Curtis, Rep. Funk, Rep. Olsen, Rep. Pierson, Rep. Schreiner, Rep. Stewart-Peregoy and Rep. Windy Boy voting no. Rep. Zolnikov voted by proxy.

04:43:48 Rep. Grubbs

04:44:02 Chair Noland



**ADJOURNMENT**

Adjournment: 04:44:39

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT**([buh40aad.pdf](#))